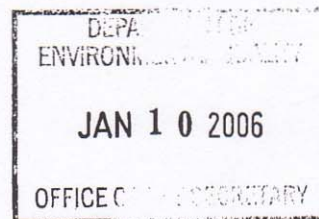




NATURAL RESOURCES DEFENSE COUNCIL

January 4, 2006

Mike D. McDaniel, Ph.D.
Secretary
Louisiana Department of Environmental Quality
602 N. Fifth Street
Baton Rouge, LA 70802



Dear Secretary McDaniel,

On December 9, 2005, your agency (the Louisiana Department of Environmental Quality (LDEQ)), along with the U.S. Environmental Protection Agency (EPA) and other federal and state entities, announced that it had completed the assessment of the environmental impacts of Hurricanes Katrina and Rita in New Orleans. Among other things, the announcement states that "there are generally no unacceptable long-term health risks directly attributable to environmental contamination resulting from the storms."¹

Given the well documented presence of elevated levels of arsenic and other hazardous substances throughout New Orleans, which exceed LDEQ's own Risk Evaluation/Corrective Action Program (RECAP) screening and management option levels in much of the city, I assume that your agency has thoroughly evaluated this contamination in a manner consistent with the procedures outlined in the state's RECAP program.² This analysis presumably includes, among other things, a detailed identification of the areas of concern and all impacted media; a comprehensive assessment of constituents, receptor populations (including possible sensitive populations), exposure pathways (including dermal exposure, ingestion, inhalation, ingestion of biota, fugitive dust, etc.), fate and transport, and cross-media transfer pathways; an assessment of contaminant levels before and after the Hurricanes in each affected area; an evaluation of potential occupational exposures; an analysis of cumulative exposures for current and future land use throughout the city; a determination of compliance with ARAR; and an assessment of potential ecological risks.

¹ LDEQ Press Release, December 9, 2005, available at:

<http://www.deq.louisiana.gov/portal/portals/0/news/pdf/jointenvironmentalassessmentpr.pdf>.

² See Risk Evaluation/Corrective Action Program, Louisiana Department of Environmental Quality Corrective Action Group, October 20, 2003. See also RECAP Appendices B, D, G and H, and RECAP Tables 1, 2, and 3. Documents available at: <http://www.deq.louisiana.gov/portal/tabid/131/Default.aspx>.

Now that thousands of people are returning to the city with their families, it is vital that you provide the public with the specific analysis upon which LDEQ and EPA relied to conclude that there are "no unacceptable health risks" to returning residents. Accordingly, I formally request that you immediately make the details of your assessment publicly available. You may forward all documents responsive to this request to the attention of Patrice Simms and Leslie Fields at the address above. Additionally, in order to provide the general public with access to these materials, I request that you immediate post a link to electronic versions of these records in a prominent location on LDEQ's website.

Thank you for your assistance.

Sincerely,

A handwritten signature in dark ink, appearing to be 'PS' followed by a stylized flourish.

Patrice Simms
Senior Project Attorney
Natural Resources Defense Counsel

Leslie Fields
Consulting Attorney
Natural Resources Defense Counsel